



PATENT APPLICATION *AF IFW*

IN THE U.S. PATENT AND TRADEMARK OFFICE

August 18, 2004

Applicants: Tadashi FUKUMOTO et al

For: BREAKWATER GENERATING STRUCTURE

Serial No.: 09/863 749

Group: 3673

Confirmation No.: 9164

Filed: May 23, 2001

Examiner: Saldano

Atty. Docket No.: Ishii Case 16

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Sir:

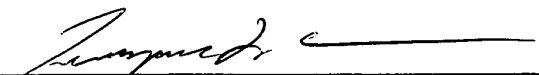
Applicant hereby appeals to the Board of Appeals from the decision mailed May 18, 2004 of the Primary Examiner finally rejecting Claims 13, 15, 16, 18, 21, 23 and 24.

(Please see following page.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 18, 2004.

Respectfully submitted,



Terryence F. Chapman

The item(s) checked below are appropriate:

☐ A Petition and fee for extension accompany this Notice.

☒ Appeal fee:

☒ \$330.00 (large entity).

☐ \$165.00 (small entity).

Statement(s) re small entity status:

☐ Attached.

☐ Previously filed.

☒ A check for \$330.00 is enclosed to cover fees.

☐ Please charge the Appeal Fee of \$_____ to Deposit Account 06-1382. A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

☒ An acknowledgement Postal Card is enclosed.

Respectfully submitted,

IN DUPLICATE


Terryence F. Chapman

TFC/smd

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Steven R. Thiel	Reg. No. 53 685
Donald J. Wallace	Reg. No. 43 977
Sidney B. Williams, Jr.	Reg. No. 24 949

Encl: Listed Above

150.10/03